

MINUTES

**MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIRMAN MACK COLE**, on March 26, 1999 at 11:00 A.M., in Room 331 Capitol.

ROLL CALL

Members Present:

Sen. Mack Cole, Chairman (R)
Sen. Don Hargrove, Vice Chairman (R)
Sen. Jon Tester (D)
Sen. Bill Wilson (D)

Members Excused: Sen. Jack Wells (R).

Members Absent: None.

Staff Present: Keri Burkhardt, Committee Secretary
David Niss, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HJ 18, 3/24/99
Executive Action: HJ 18

SEN. HARGROVE, is acting chairman.

HEARING ON HJ 18

Sponsor: REP. TOM FACEY, HD 67, MISSOULA

Proponents: Sarah Bucey, League of Voters
Craig Sweet, Legislative Director, Montana Public Research Group (MontPirg)
Lee Arbuckle, Montana League of Women Voters
Riley Johnson, Montana Broadcaster's Association

Opponents: None

Opening Statement by Sponsor:***{Tape : 1; Side : A; Approx. Time : 11:13 - 11:23}***

REP. TOM FACEY, HD 67, MISSOULA, this is a resolution for an interim study about televising the legislative process. Public access is easy for residents and visitors of Helena, but the rest of the state has limited access. Televising of procedures will not cure voter apathy, but it won't cause dirty politics. Last weekend was the 27th anniversary of CSPAN and we have seen little of political tricks on CSPAN going on. This is a study of possibly televising our proceedings. We study cost, modes of transmission, who will pay, sponsors or supporters, what will be televised, who will be in control of what is televised, and any possible rule changes for the House or Senate that might be appropriate. Remodeling the Capitol will take place as soon as we leave and the hard wiring of the Capitol is planned. The press has a right to be present during deliberations and our citizens have the right to be present too. Montana is a large state and it's hard to get to the Capitol. If this resolution passes, the earliest it would start is two sessions from now. Televising will not create grandstanding. I don't think it will cause people to be more talkative. People in the House and Senate are honest, hardworking, intelligent, and good-humored. I don't see anything inappropriate about showing citizens of Montana what we do. The Legislative Services Division will prioritize what interim committees there are.

SEN. COLE returns to meeting and retakes chairman position.

Proponents' Testimony:

Sara Bucey, League of Women Voters, read **EXHIBIT(sts68a01)**.

Craig Sweet, Legislative Director, MontPIRG, handed out **EXHIBIT(sts68a02)**. This is a state-by-state listing of which states provide coverage of state government. As you have heard, this would be an interim study. There are many questions to be answered. Who would determine the programming is one of the big concerns. There are some states where the majority and minority leader determine which committees should be covered and which floor debates should be covered, based on what they perceive as something of brutal interest to their state. Some states have their legislative staff make some of those determinations. Others leave it up to the people who are contracted to provide the service. There is also a large question about how we would transmit anything in the State of Montana. Those questions need

to be answered. As you can see on that list of states I passed out, there are a variety of ways of doing this.

When this came before the House, Patty White, a commissioner in Helena, came and spoke in favor of it. Patty works at Carroll College in the telecommunication program. She would be very interested in being involved with any interim study to offer their expertise, as well as help in terms of production and the cost of production. During the hearing in the House we also heard from William Marcus who is the General Manager of KUFM television, the public television station out of Missoula Montana. He sent a letter saying that the public television stations in Montana would be very interested in serving on an interim committee. We talked with the people at TCI Cable. In many states, TCI Cable is the dominant cable provider. They have been very active in working with state legislators. In some states, TCI Cable has even provided the means of transmission if the state will provide the production cost. There are great opportunities for some public and private partnerships to make this a reality. That is what the study committee would look at. Many school children come to Helena to see our legislature in operation, but there are hundreds who do not get that opportunity. This would be a valuable tool in the classrooms. This is a good way to have an informed citizenry and we think it is an idea that needs to be studied and looked at.

{Tape : 1; Side : A; Approx. Time : 11: 23 - 11:31}

Lee Arbuckle, Montana League of Women Voters, read **EXHIBIT (sts68a03).**

Riley Johnson, Montana Broadcaster's Association, We stand in support of this bill and would like to offer help to the study committee and to give our expertise and years of experience in television. The only problem we have with this is using just the word televising. There are many other forms of communication besides television. We would urge your consideration in including other forms of communication in the study, not just television.

Questions from Committee Members and Responses:

SEN. TESTER asked, was it your intent that all media be included in this? **REP. FACEY** replied yes, our intent was to include all electronic media.

SEN. COLE asked, has anyone looked at the costs to implement this? **REP. FACEY** stated that would be for the committee to

study. If we are speaking about television, we are probably talking about cable and there are many channels out there.

{Tape : 1; Side : A; Approx. Time : 11:31 - 11:38}

Closing by Sponsor:

REP. FACEY said there are good things going on in this building in both chambers, nothing any of us should be ashamed of. The citizens of Montana would be interested in seeing the work that we do for the public. Thank you.

Motion: **SEN. WILSON** moved that **HJ 18 BE CONCURRED IN.**

Discussion:

SEN. HARGROVE said, we just heard a bill that makes all electronic media available to the public. We already have commercial people who come in and televise all the time. They do it on a selective basis. They may have an opportunity to take clips of "hot" topics missed and put them out commercially. I suppose that is just one of the risks you have to take. I strongly think that it is a good idea. The openness of Montana Government is the background, but it does bring up some interesting questions.

SEN. WILSON stated if you look at things that are taken out of context by the news media, this would be a record of the context it was spoken in.

SEN. TESTER said, the only downside to this is that technology is moving so rapidly that by the time a study group gets done, I don't know how accurate the cross figures are going to be. The upside to that is that it will probably be less.

Mr. Niss explained, I suggested the first change to include any broadcast media, because the interim committee that is appointed may look on that as limiting language. The word "televising" is consistent throughout the bill. The second recommendation I made to the chairman is on Page 2, Lines 8 and 9. There is nothing in those two lines that require recommendations from the committee and there is nothing to include recommending legislation if the study should find that is necessary. They may be able to do that anyway. If we are going to do amendments for the broadcast media purposes, we might as well have the other change to include recommendations and legislation.

Motion/Vote: SEN. WILSON moved that HJ 18 BE AMENDED. Motion carried 4-0.

Motion/Vote: SEN. WILSON moved that HJ 18 BE CONCURRED IN AS AMENDED. Motion carried 4-0.

ADJOURNMENT

Adjournment: 11:38 A.M.

SEN. MACK COLE, Chairman

KERI BURKHARDT, Secretary

MC/KB

EXHIBIT (sts68aad)